REMARKS

A Request for Continued Examination (RCE) is being concurrently filed with this Preliminary Reply. The previous Reply under Rule 116 dated July 1, 2005 and this Reply constitute the proper Submission with the RCE. The present Submission fully complies with M.P.E.P. § 706.07(h)(II).

Status of the Claims

No claims are being amended, added or canceled. Thus, a listing of the claims is not necessary. Claims 1-14 are pending in the present application.

The previous Reply of July 1, 2005, is fully responsive to the outstanding Office Action. However, Applicants are submitting the present Preliminary Reply in view of the remarks in the recent Advisory Action. Thus, in view of the following remarks, Applicants respectfully request that the Examiner withdraw all rejections and allow the currently pending claims.

Advisory Action & Response Thereto

The Advisory Action dated July 18, 2005, states that Applicants' previous Reply of July 1 is insufficient to place the present application into condition for allowance. More specifically, at paragraph 3 of the Advisory Action, the Examiner states that the previously filed Rule 132 Declaration is insufficient to show patentability of the present invention, because Applicants are relying upon a non-claimed feature (extrusion rate), and even if recited, would not be given patentable weight unless the product shows some patentably distinguishing feature. Further, the

Examiner is not persuaded by the Rule 132 Declaration, because the Examiner interprets the comments in the Declaration as being more relevant or applicable to method claims or product-by-process claims if the process step leads to a structurally different product (see the Advisory Action at page 3, line 4 to page 4, line 15). Applicants respectfully disagree and submit that the contents of the Rule 132 Declaration are being misconstrued and do show patentability of the present invention.

Applicants respectfully submit that the contents of the Rule 132 Declaration are being misinterpreted. Instead of what is stated in the Advisory Action, the Rule 132 Declaration shows the inherent feature of faster extrusion or production of the wire, wherein the inherent feature is due to the components already recited in the instantly pending claims.

Thus, a recitation of the extrusion rate is not necessary because the already-recited components/structure features lead to the differences in extrusion rates (and not *vice versa* of needing a claimed extrusion rate to show a difference in the product as stated in the Advisory Action).

Accordingly, Applicants respectfully request reconsideration of the previous Reply of July 1, 2005, including the Rule 132 Declaration attached thereto as evidence of patentability of the present invention.

Conclusion

A full and complete response has been made to all issues as cited in the Office Action of February 3, 2005. Also, Applicants have taken substantial steps in efforts to advance

prosecution of the present application. Thus, Applicants respectfully request that a timely Notice of Allowance issue for the present case.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Eugene T. Perez (Reg. No. 48,501) at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

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